

**Development Engineering Advisory Board Meeting
September 3, 2009
2:30 – 4:30 p.m.
Public Service Center
6th Floor Training Room**

In attendance: Board members – Mike Bomar, Eric Golemo, John Graves, Greg Jellison, Jerry Nutter, Tim Schauer; County staff – Ginger Blair, Pete Capell, Kevin Gray, Sue Stepan

Board members not in attendance: Steve Wall

Visitors – David Bottamini, Tom Grange, Steve Schulte, Marty Snell

Administrative Actions

- Nutter started the meeting with introduction of the audience and board members.
- The July 9 meeting minutes were adopted without edits.
- The Parking Lot was reviewed; there are currently no items on the list.
- There was one correspondence to review, from Travis Johnson. The email was reviewed during the TIF Credits Policy topic.
- The group reviewed the upcoming events as shown on the agenda.

Subcommittee Update

- A. Development Engineering Processes Subcommittee (Chair – Schauer)
 - Schauer not present at the time the agenda item was discussed.
- B. Community Development Process Team (Chair – Bomar)
 - The first meeting was held August 5; the next meeting is scheduled for September 15. At the meeting the group took a list of items and prioritized them to determine the subcommittee's main focus. At the next meeting the group will determine who will take the lead for each issue.
- C. Engineering Issues with Clark County Code (Chair – Golemo)
 - The first meeting was held August 18; the next meeting is tentatively scheduled for September 22. At the meeting the group reviewed proposed biannual code items, including the proposed changes to the stormwater code. Some of the issues included:
 - Complications to rural projects
 - Minimum orifice size
 - Set backs to septic systems for infiltration
 - The group also reviewed and discussed traffic concurrency standards.
 - The subcommittee will bring a formal recommendation to the October DEAB meeting. The DEAB will then submit a comment for the October 15 Planning Commission Hearing.
 - Golemo requested that staff member Jan Bazala attend the September subcommittee meeting as well as the October DEAB meeting.

Financial Report

Stepan referred to the financial reports for Development Engineering included in the meeting packet:

- Page one is a snapshot of the two year budget. To be on schedule, the biennium to date budget should be about 29%. Revenues are at 24% and overall expenses are at 32%. The program continues to have financial challenges.

- Page 1A shows Development Engineering's performance measures. The goal for completing reviews within the given timelines is 85%; staff is doing pretty well at about an 82% average. Most final reviews are getting returned to the applicant prior to the deadlines.
- Page two shows development fee revenue by case type through the end of August.
- Page three shows the revenue forecast background. This includes the actual revenues for the last six months and the 2009 forecasted revenue for July through December based on the adjusted fee schedule. The total is based on the original forecast of case numbers; however, the actual case load is lower than the forecast.
- Page four shows the general fund activities through the end of July, including staff hours for non-fee activities. These non-fee activities contribute to the program's financial deficit. Development Engineering needs to either receive money to support these activities or reduce the level of service it provides.
- The rest of the packet is the revenue and expenses report per review case, through the end of July.

The group discussed the problems associated with low volumes, the inability to meet overhead, and the uncertainty of what will be the new normal once activity starts to pick back up.

Community Development Report

Marty Snell addressed the group with updates regarding the Community Development Department.

- Title 40. The department has started working on changes to the code and has held two external stakeholder meetings. Individual meetings with the commissioners are scheduled. The next step is to have the stakeholders meetings focus on some of the comments that have been received so far, especially those regarding processes that could be more efficient. A scope or timeline for the project is not available yet, pending further direction from the commissioners.
- Fees. The department continues to work on a time tracking system and the ability to charge fees based on an hourly rate. The project has many challenges. The next step is to ask the commissioners which fees and case types are feasible for an hourly rate and which are not. The expectation is that once a time tracking system is in place, the department would add other fees and case types to the hourly rate method.

The group discussed practices in other jurisdictions that might lead to efficiencies, such as the digital and formatted application that the City of Tigard requires for land use review.

Stepan reported that Development Engineering is now requiring digital submittals of final as-builts and technical information reports, which are then accessible by the public through Maps Online.

Golemo commented that the recent addition of early issues meetings for land use reviews has been working well. Identifying issues early has allowed the applicant and staff more time to work toward resolutions.

The group also discussed that items regarding the vesting of fees are including in the current biannual code packet. DEAB may want to officially comment.

TIF Credits Policy

Steve Schulte addressed the group regarding an issue that was originally brought to the DEAB by Travis Johnson of PLS Engineering. Schulte worked with Johnson to resolve issues associated with the project that was in preliminary review at the time, but wanted to bring the topic to the DEAB for discussion.

Schulte discussed the differences between TIFs (traffic impact fees) and trip carryovers. TIF credits are related to the credits the developer receives for building frontage improvements that the county has on its Transportation Improvement Program (TIP). Carryover discussions are related to site trip generation and the trips associated with the existing use of the site.

The county code does not include explicit direction for TIFs and trip carryovers. Historically TIFs were assessed by county planners, but the current practice is to involve county traffic engineers. The increase in TIF rates, and the tightness of concurrency, has led to the assessment having a greater impact on the proposed developments and real estate transactions. Richard Gamble created and distributed a memo dated March 23, 2009, in an attempt to clarify the county's practice.

Schulte commented that there is not a perfect rule for all situations. Staff is open to comments and further discussion with the DEAB members.

The group discussed several examples and agreed that it was a complicated subject, especially when making rules that can also apply to redevelopment. Additionally, they discussed whether the guidelines should be included in the code or an associated manual.

It was determined that Schulte would coordinate a subcommittee of local traffic engineers to discuss the topic and provide a recommendation at the October DEAB meeting. The DEAB will then vote whether to support the recommendation.

DEAB Priorities / Work Plan 2009

Nutter addressed the group, commenting that it is important that the DEAB is proactive with the issues that are brought up. Additionally, it is important that members bring up issues that come up in day to day activities with the county so that the group can work on them and help implement changes or resolutions.

Nutter referred to the existing issue that needs resolution regarding final engineering review. With the county looking to charge fees based on review time, questions come up regarding what is the purpose of the county review and what is staff looking for. Nutter expressed his opinion that the DEAB needs to discuss the issue of whether a review is required for plans that have been stamped by a licensed professional engineer.

The group agreed that there are differing opinions as to whether a PE stamp certifying that plans are ready for construction are all that should be required. The group also discussed the county's responsibility for ensuring public safety. Pete Capell commented that some consultants are not doing their work, as was observed when he sat with final review engineers to observe what they do. Nutter commented that he has heard the question asked if the time should be spent at construction to catch the issues instead of having a final review. He added that this option would lead to many questions regarding who would be responsible for the complications at that time, the engineer, the developer, or the contractor.

The question was asked as to whether the reduced review that Development Engineering has been implementing, one that is focused on code compliance issues only, is working.

It was determined that this item will be added to the October DEAB meeting agenda. Staff will present a process review of the current practices for final engineering review. The group will discuss what value the review offers, and what efficiencies could be found.

Public Comment Period

There were no additional comments at this time.

Meeting Minutes Prepared by: Ginger Blair
Reviewed by: Sue Stepan
Board Adopted: October 1, 2009

Development Engineering Advisory Board - Parking Lot Items					
#	PRIORITY*	SUBJECT	DATE REQUESTED	ORIGINATOR	ACTION
* Priorities: 1 = High/Important, 2 = Average, 3 = Low/long-term goal					